

Application No.: 09/975,831

Docket No.: 320529527US

Docket No.: 320529527US  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

---

In re Patent Application of:  
Acharya et al.

Application No.: 09/975,831

Confirmation No.: 3000

Filed: October 11, 2001

Art Unit: 3625

For: METHOD AND SYSTEM FOR  
INTEGRATED ONLINE AND BRICK AND  
MORTAR PROVIDER SHOPPING

---

Examiner: J. B. Dunham

**PETITION UNDER 37 C.F.R. § 1.183 FOR WAIVER OR SUSPENSION OF RULES  
NOT OTHERWISE PROVIDED FOR**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In connection with the Declaration under 37 CFR § 1.131 filed concurrently herewith, assignee requests waiver of the signature for unavailable inventors.

Kamal Acharya, Vincent Tong, Peter Gremett, Matthew Crampton, Srinivas Lingutla, and Ellen F. Butler are joint inventors in the above-identified application ("the Application"). This Petition under 37 C.F.R. § 1.183 is made on behalf of Tarquin Consulting Co., LLC, the assignee of all right, title and interest in the invention described and claimed in the Application because Mr. Tong, Mr. Gremett, Mr. Crampton, and Ms. Butler could not be reached, and to date, signatures for the Declaration under 37 C.F.R. § 1.131 have not been obtained.

Mr. Tong, Mr. Gremett, Mr. Crampton, and Ms. Butler have not responded to diligent efforts to contact them. The circumstances of the presentation of declaration papers to Mr. Tong, Mr. Gremett, Mr. Crampton, and Ms. Butler and the unavailability of each are evidenced by the statements of fact set forth below.

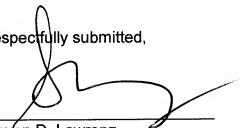
1. On January 14, 2010, January 27, 2010 and February 15, 2010, emails were sent to prior assignee of the application, AOL LLC. The email requested contact information and assistance in locating the Inventors. There was no reply to these emails.
2. On March 19, 2010, a copy of the Declaration under 37 C.F.R. § 1.131 and a copy of the application the Specification, Drawings, and Claims, and copies of Exhibits A-T (the "Declaration Papers") were sent to each of the inventors last known address via United Parcel Service. The letters instructed the Inventors that failure to respond would be interpreted as constructive refusal to sign. Copies of the letters, Declaration Papers, and tracking information from United Parcel Service are attached as Exhibit A.
3. On March 26, 2010, a second set of Declaration Papers were sent to Mr. Tong and Ms. Butler via United Parcel Service after different address were found in a search by Carol Warner, a librarian at Perkins Coie, LLP. The letters instructed the Inventors that failure to respond would be interpreted as constructive refusal to sign. Copies of the letters, Declaration Papers, and tracking information from United Parcel Service are attached as Exhibit B. Copies of the email with search results and attachments from Ms. Warner is attached as Exhibit C.
4. On March 26, 2010, a telephone message was left at a phone number found for Mr. Crampton in a search by Carol Warner, a librarian at Perkins Coie, LLP. This message was not returned.

5. The Declaration Papers sent to Mr. Crampton were returned on March 29, 2010 after current resident at address confirmed Mr. Crampton does not live there.
6. The Declaration Papers sent to Ms. Butler were returned on April 1, 2010 with a wrong address message from the courier service.
7. The Declaration Papers sent to Mr. Tong were returned on April 2, 2010 with a wrong address message from the courier service.
8. The Declaration Papers sent to Mr. Gremett were not returned.
9. The second set of Declaration Papers sent to Ms. Butler was returned on April 7, 2010 with a wrong address message from the courier service.
10. The second set of Declaration Papers sent to Mr. Tong was not returned.

Please charge our EFT Account No. SEA1PIRM in the amount of \$200.00 covering the fees set forth in 37 C.F.R. § 1.17(g). The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-0665, under Order No. 320529527US.

Dated: April 27, 2010

Respectfully submitted,



By  
Steven D. Lawrenz  
Registration No.: 37,376  
PERKINS COIE LLP  
P.O. Box 1247  
Seattle, Washington 98111-1247  
(206) 359-8000  
(206) 359-9000 (Fax)  
Attorney for Applicant